

*The Use and Intent of DIVINE and HUMAN
LAWS, in order to prevent VICE, and
encourage VIRTUE, comparatively consider'd.*

Set forth, in a

SERMON

PREACH'D at the

ASSIZES

HELD AT

LANCASTER,

Before the HONOURABLE

THOMAS PARKER, Esq;

One of the JUSTICES of his Majesty's Court of *Common
Pleas at Westminster*;

And the HONOURABLE

JAMES REYNOLDS, Esq;

One of the BARONS of his Majesty's Court of *Exchequer*,

On FRIDAY, AUGUST 22, 1740.

By EDWARD SHAKESPEAR, A. M.

Rector of *North Meals*, and Vicar of *Leyland* in *Lancashire*.

Published at the Request of the HIGH SHERIFF, and
the Gentlemen of the GRAND JURY.

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 O F
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The GENTLEMEN of the GRAND JURY:

*This DISCOURSE, published at their Request,
 is most humbly Dedicated, by*

Their most Obliged, and

Most Obedient Humble Servant,

Edward Shakespear.

I TIM. i. 9, 10.

Knowing this, that the Law is not made for a righteous Man, but for the Lawless and Disobedient, for the Ungodly and for Sinners, for Unholy and Prophane, for Murderers of Fathers, and Murderers of Mothers, for Man-slayers, for Whoremongers, for them that defile themselves with Man-kind, for Men-stealers, for perjured Persons, and if there be any other Thing that is contrary to sound Doctrine.

THERE are no Arguments of greater Force, against the Enemies of Religion, than the various Provisions, made by human Laws, for the Prevention of Vice and Immorality. For why should any such Provisions

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visions be made, if Vice was not known and acknowledged to be fatal and pernicious to the Happiness and Welfare of Mankind?

IT is upon this Account also, as well as the natural Odiousness and Deformity of it, that the divine Laws abash and discourage it, by the strictest Prohibitions and severest Penalties. A serious Enquiry into the Nature of God and Man will convince us, that we were created and designed to be happy; and that, not only in a future State, but in the present, at all Times, and in all Stages of our Existence. But then it is as evident, that this Happiness could not be derived from, or built upon any Thing, but a virtuous Conduct: Because it would have been inconsistent with the Character of a holy, wise, and good Being, to have annexed it to any Thing else. And therefore, by the just Appointment of God, and the natural Constitution of Things, whatever Happiness we can enjoy at present, or hope for hereafter, is made the lovely Fruit of moral Virtues. In one and the same Design, therefore, do the Laws
of

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of God and Man conspire, as they are made not for the Righteous, but for the Lawless and Disobedient, for the Ungodly and for Sinners, and the several other Offenders enumerated in the Text.

THE Apostle has here thrown together a considerable Number of vicious Characters; the particular Deformities of which, I do not design to unfold, and lay before you; but to raise some general Propositions from the Text, very proper to be seriously consider'd at all Times, and more especially upon such Occasions as these.

THE Apostle's Words seem to imply,

- I. THAT Vice is the Cause of the Misery and Unhappiness of the World.
- II. THAT it is the great Design of all Laws to prevent it.
- III. THAT divine and human Laws do, in this View and Intention, mutually aid and assist each other.

WHEN

WHEN I have offered my Thoughts upon these Particulars, I shall beg your Attention to a few Inferences.

I. VICE is the Cause of the Misery and Unhappiness of the World.

AND this holds good both in private Characters, and publick Communities. The Reproaches of Reason, the Scorn and Contempt of the World, a distempered Body, and a ruined Fortune, do usually at last convince every vicious Man, how hard and severe a Master he has served. But what I would more willingly set before you at present is, the mischievous Effect of Vice upon Society.

IF it be asked, what it is that makes a Community flourish and prosper? I think the true Answer is, the diligent Attention of every Member to the Duties of his Station, and his unwearied Endeavours to adorn it. In the visible Frame of the World, the admirable Beauty, Use, and Comeliness of it, depends upon that unerring

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ring Regularity, which every Part of it observes; proceeding and returning in exact Time and Order, so as to forward and promote the necessary Operations of Nature, and to preserve and continue them: So that if any one Part should be disordered, the Whole would feel a Pang; if one Member suffered, all would suffer with it. It is equally so in moral Government, tho' the Effects of a Disorder may not be so immediately or universally perceived. For where a Member of Society neglects his Charge, or acts out of it, there ensues a Defect and a Mischief, as extensive as the Influences of his Station: The Duties of which ought to be every Man's grand Concern; his Eyes and Thoughts should be habitually upon them. But a Man, roving after irregular Pleasures, or enslaved to any single unlawful Gratification, soon loses Sight of his Duty, and seldom fixes his Thoughts upon it: For the favourite Passion engrosses, captivates, and subdues him. It either entirely scatters and disunites his Thoughts, or fastens them upon wrong Objects, so that he cannot give due Heed to the serious Business of human Life.

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How many Instances have we in History, in our own, as well ^{as in} others, of great and eminent Abilities, given for the Service of Society, and equal to any Duty in it, which were lost and perished in the immoderate Indulgence of depraved and unguided Passions!

BUT, because, as I take it, the malignant Effects of Vice will be more evident from particular Instances, than general Reflexions, I shall fix upon a few. Does not the Welfare of a Nation, in great Measure, depend upon the Industry of the People? And does not Industry depend upon Health, and both upon Temperance? If the Bulk of a People is given up to Intemperance, this not only occasions Idleness and a Cessation of Business, but something much worse. It is usually attended with a crazy Carcase, a clouded and disabled Understanding; so that a Man is lost to himself, his Family, and the Publick. For every useless Member of Society is really a Burden upon it. And it is not hard to conceive, how the universal Prevalence of this one Vice might even undo a Nation, and convert it into a Col-

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Collection of sick, worthless, and insignificant People. We may observe here, as we pass on, that, tho' Diseases are looked upon as a natural Appendage to our Condition, and, in some Sort, are so, the worst of them may be fairly charged to the Vices of Men; and that, in the many miserable Objects we meet, we may trace the cruel Prints and Footsteps of their own, or their Parents Folly.

AGAIN, what an odious Vice is Covetousness? How unfriendly to Mankind, as well as a Torment to itself! It snarls at every Virtue of a benign and generous Character. It is an Enemy to private Friendships, and publick Spirit. It can pass by the Orphan and Widow, and all the Miseries incident to us, without a Look, a Sigh, or a Prayer. And in that Crowd of unavoidable Calamities which beset us, how miserable must we needs be, without mutual Compassion and Assistance! No less pernicious, in the other Extream, is Luxury; wasting, in an injudicious, undistinguishing Manner, that Substance which should bring Credit and Comfort to ourselves,

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selves, and do great and extensive Good to others. But, far from this, the Prodigal becomes a Tax upon his Friends, or the Publick, and, in lieu of the most desirable State in this World, Freedom and Independency, is the Prey of the first Bidder, the Slave of any Man, or any Cause that will support him. Once more; to those who retain a Sense of what is lovely and of good Report; if there be any Virtue, any Praise, any Compassion in the World, how ugly and hateful must a wild ungoverned Lust appear! How truly pitiable is Innocence betrayed by dark Intrigues, and a Profusion of faithless Promises! And how great, because how undeserved, is the Sorrow of a Family, injured by the brutish Attempts of wicked Men! And how much is such a Misfortune aggravated by the Cruelty and Ill-nature of the World, which, blind and undistinguishing, fixes its Censures upon the Innocent as well as the Guilty! Shame and Disgrace are two of the most insupportable Evils of human Life. The Courage and Spirits of many have master'd other Misfortunes, but the wisest

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wisest and best of Men have not always been found a Match for these.

I HAVE chosen to instance in Crimes too common, and therefore esteemed of a less Size and Enormity. How much more glaring would be the Evidence against Vice, were I to pursue the Apostle's black Catalogue, and enlarge upon it? But this would be a Burden upon your Patience. From the little that hath been said, every reasonable Man may discern the notorious Folly and Mischief of all such Arguments and Writings, as would confound the Distinctions of Virtue and Vice as arbitrary Things; and the still greater Absurdity and Pernicioufness of pretending to prove private Vices to be publick Benefits. Indeed, if a vicious Man could stand alone, and suffer by himself, his Character would not be so compleatly odious. But no Man can be barely his own Enemy: He must at least detract from the Order and Beauty of Society, if he does not do some signal Mischief to it.

Now,

Now, by the Rule of Contraries, it follows, that, if Vice be the Bane of Society, Virtue must be the Life and Health of it. And if any Society subsists at all, it must be owing to the Virtue of some of its Members : For universal Vice can naturally produce nothing but universal Destruction. And I do not at all question, if such Things were capable of a nice Calculation, but that the Quantity of Happiness or Misery in the World, would be found to bear an exact reciprocal Proportion to the Quantity of Virtue or Vice in it. With the greatest Reason therefore have the wisest Governments always restrained the one, and cherished and encouraged the other. This leads us on to consider,

II. THAT the great Design of all Laws is to prevent Vice.

THE Law, says the Apostle, *is not made for the Righteous, but for the Lawless and Disobedient.* I take it for granted, that every Man may use his Reason,
and

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and follow it, if he will. If this be not allowed, all the Disputes and Discourses in the World are about nothing. Now if Men from the Beginning had made Reason their Guide and Director, no positive written Laws would have been of any Use or Necessity ; because the right Application of the excellent Faculties of their Minds, would have been an effectual Bar against the Inlets, as well as the Overflowings of Ungodliness. And as in such a State there could have been no just Complaints, so there would have been no Appointment of Punishments, which are the Sanction of most Laws, and the great Instruments of restraining Vice ; because every Man would have found sufficient Encouragements to Virtue, from the Reasonableness and natural Rewards of it. But when all this was found, by Experience, not to be the Case, but that, on the contrary, as Men multiplied, Wickedness increased ; an apparent Necessity gave Birth to human Laws and Government, which is, in Effect, nothing but a Combination of good Men against bad.

AND

AND as this was the Rise of human Laws, so I make no Doubt but it was the Occasion of the Christian Revelation also. We may, I think, safely admit all the fine Things which some Men of late have advanced in Favour of human Reason. It is, doubtless, a Talent capable of the highest Improvements, and might, if rightly applied, be sufficient for all the Purposes of this Life and another. But this is not the Point in Debate. If it be capable of Improvement, it is equally subject to be debauched, obscured, and abused. And that this was the Truth of the Case, and Matter of Fact, we need no other Evidence than the Heathens themselves, the great Masters of it. It did not prove in the Event, however excellent it be supposed, a sufficient Security to the Morals of Men. And when the World, by long Experience, was convinced of this, then did God interpose, to revive, and establish upon a firmer Basis, all those reasonable Duties, which had almost been sunk and forgotten.

IF it be asked, of what Service has Revelation been to the World? Is it any better than it was before? It may be proved, that, in the Reformation of some remarkable Impurities, it is ; and that it is not owing to any Defect in the Revelation, if the Morals of Men are not entirely amended and improved by it ; but to the same Causes which defeated all the Use and Intent of Reason before a Revelation was given : So that if there be not now a sufficient Provision against Wickedness, the true Answer is, that there can be none. If Men have Power to do Evil, or chuse the Good, and will abuse it, this cannot be avoided. Reason itself seems necessarily to imply Freedom and Choice, and all the Beings in the World, which have it, were created free to stand, or free to fall. And therefore Men, that will neither rule themselves, nor be ruled, must expect, and be contented, to feel the Strokes of that Rod which is prepared for the Back of Fools, oftentimes in this World, but undoubtedly in the next, from a wise and righteous Governour of all Things. But tho' Men

are so foolish and unreasonable, it may be useful,

III. IN the third Place, if it be but to convince us of our Folly, to look into the Methods which have been taken to prevent Vice and encourage Virtue; and how, in this Regard, divine and human Laws do mutually assist each other.

THE greatest Part of Mankind is, doubtless, inconsiderate and rash; affected most by present Appearances, and present Pains and Inconveniencies. Hence the Wisdom and Necessity of penal Laws in human Governments. A Prison and Disgrace, a Scourge and hard Labour, are the best Arguments with some Constitutions; and when Crimes are of an enormous Nature, both in the first Fact, and sad Consequences, a total Removal of the Offender, by Death, may be a necessary Severity.

BUT notwithstanding all this, without the additional Aid of divine Laws, the Peace and Happiness of Society is but ill secured. It must have fallen under the Ob-

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Observation of every one of us, how many real Mischiefs and serious Evils are brought into the World, by the pestilential Breath of the Whisperer and Back-biter, by the Proud, the Malicious, the Envious, and Revengeful: Crimes and Characters of a secret, dark, and disguised Nature; open, indeed, to the Searcher of all Hearts, and ranked, and esteemed, in his Account, amongst the highest Provocations; but difficult to be comprehended in a general System of human Laws, or deservedly punished by them.

THE quiet Enjoyment of our several Properties, is the subject Matter of most Laws. And yet by how many Arts and Frauds, the Inventions of wicked Men, is this daily violated, and the End and Intention of Law defeated, and present Vengeance eluded? It is, besides, no improbable Supposition, that great Men may be wicked, be guilty of the greatest Oppressions, and most extensive Injuries, and find Means, by the Power and Influence of their Station, to protect themselves, and even glory in their Crimes. Now, that

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Men of any of these Characters, should entirely escape without Animadversion, and a just Censure, is inconsistent with every wise Measure of Government, and every Idea we have of a just and wise God. But take away the Considerations of Religion, and the Apprehension of divine Inflictions, and they are at Liberty to execute every wicked Scheme they can devise. Tempers of these several Kinds, can be awed and restrained by nothing, but the Dread of him who is Higher than the Highest, and is the Friend and Protector of his Creatures, and equally observes and hates the secret Knave, and mighty Villain, and the Hypocrite's painted Mask.

It is, moreover, some considerable Comfort and Alleviation (in some Cases, 'tis all they can have) to the Sufferers by designing Men, or irresistible Oppressors, to know, that the Triumphs of the Wicked are but short: That there is a Day a coming, when the Scene shall be changed, and their Case properly considered and adjusted; when they who laugh
now

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now shall, in their Turn, learn to mourn and weep.

BUT setting aside all these Cases, too possible, and too common; it is, however, a singular Advantage, considering the different Tempers of Men, to be guarded against the Encroachments of Vice by a double Authority, the Laws of Man, and the severe Threatnings of divine Vengeance: So that there can be no Escape from the one or the other, and perhaps, in some flagrant Cases, both.

LET us advance a Step further. Let it be allowed, that human Laws are an impregnable Defence against Vice; yet where are their Encouragements to Virtue? She is generally left in this World to be her own Reward, or at best, to support herself upon the thin Diet of popular Applause.

To a virtuous Man, indeed, there is no Terror in the Sword of Justice; he shall not be punished or imprisoned, but
shall

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shall have the mighty Privilege to shift in the World as well as he can. Be it so; (which, however, is not always and invariably the Case) yet, is this such a Spur to Virtue, as the reasonable Assurance of the everlasting Favour of God, and an Happiness too big to be at present expressed or conceived?

BUT more than all this; if human Laws protect us from Vice, what Obligation do they lay upon us, what Inducements do they propose to universal Benevolence and Love? We know, we feel, that our present State is imperfect, exposed to many great and unavoidable Calamities, under which we must often sink, if not supported. And not to mention the common Ways of Beneficence, how much Good might be privately done in the World, by the Well-disposed, to decaying Families, unable to dig, and to beg ashamed, to the Unfortunate and Unwilling to complain, and known only to be so to a few. But to no Act of this Kind, is any Man obliged by any human
man

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man Appointment. If we injure no Man, it will never be enquired, whether we have been the Friend and Patron of any. Here, again, the divine Laws shew their superior Use and Excellency, binding us, at the Peril of our everlasting Interests, not to neglect, according to our Abilities, such Opportunities of Kindness and Goodness towards Men. It cannot be said, but Society might subsist, and be tolerable, if Men could be restrain'd from all unjust Attempts upon one another: But it must be owned, at the same Time, that a diffusive Generosity and Benevolence make it prosper and flourish, and throw a Smile over the whole Face of Nature.

THE Inferences, I shall detain you with, are these.

It appears, First, from what has been said, That the Christian Religion is not so useless an Institution, as some Men of late have delighted to represent it. The Enemies of it shew a real or affected

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fected Concern for moral Duties ; which, I am sure, are much better supported by Arguments drawn from the Christian System, than from any other which the Wit of Man can invent. They, whose Province lies chiefly in conversing with the Ignorant, and their Duty in instructing them, may be allowed to speak to this Point with some excusable Confidence. To remind Men of the plain Precepts of the Gospel, and to enforce them as the indispensable Commands of the supreme Being, who will severely punish, or greatly reward the Observance or Contempt of them, are Arguments which will affect them, if any will, and prevail: Whilst all the fine Harangues upon the internal moral Sense, and the abstract Ideas of Beauty, Order and Harmony, will be as unintelligible and obscure to them, as the darkest Parts of Revelation, upon which, especially, its Enemies love to display their scornful Talent. Nay, not only mean and uncultivated Understandings, but Persons, whose Sense and Penetration in other

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Matters, cannot be^u suspected, will very difficultly comprehend the Force of such Arguments as our late Moralists make use of. I do not mean, hereby, to disparage any Arguments which tend to establish Morality, or to detract from any Writer's Merit; but only to assert, that Christianity is the best calculated Religion for the Bulk of Mankind; because other Schemes not only require great Attention, and Steadiness of Thought, but are really the most hidden Mysteries, to Men not long trained and exercised in abstruse Reasoning.

LITTLE, therefore, does that excellent Religion deserve the Scoffs and Contempt which, of late, have been so liberally bestowed upon it; which, the more it is considered and examined, will the more approve itself an Institution salutary to the World, not only by the reasonable Hopes and pleasing Views it opens to us, but also by its present happy Influences over us.

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FROM what has been advanced, we may observe, Secondly, The monstrous Inconsistency and Folly of all those who, upon pretended Christian Principles, would set aside the Use and Authority of human Laws and Government, or exempt themselves, under the Notion of a spiritual Character, from the Power of the secular Arm. Vice is not only an Offence against God, but also against the Civil Power, and deserves to feel the Resentments of it. Some general Expressions in Scripture, misunderstood, or perverted, may be a poor Cloke to such Principles; but nothing is more evident, from the whole Tenour of the Gospel, from the Conduct and Behaviour of our Master and his Apostles, as well as many express Texts, than that human Government is agreeable to the Will of God. And, if Matters be duly considered, it will be manifest, that many of those Christian Rules, which seem to be calculated, merely for the private Peace and Satisfaction of Mens Minds, are yet some
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of the best Preservatives of Society. For a Mind thoroughly purged of Malice, Envy, Pride, and Ambition, and taken up in the Contemplation and Hopes of a glorious Immortality, will naturally grow regardless of present Advantages, and be less at Leisure, less prone to form Schemes and Designs, which may endanger the present Quiet of the World.

THIRDLY, We may discern, from what has been offered, the Wisdom and Prudence of a virtuous Conduct, and the astonishing Impudence and Folly of Vice.

A GOOD Man, when he reflects upon himself and his Actions, enjoys not only the Satisfaction of the silent Applauses of his Conscience, and a pleasing Foresight and Assurance of future Happiness; but the Pleasure of his Reflections is doubled, by this Consideration, that he has been a Friend to the whole World, and, in particular, to the Community to which he belongs. He knows he has

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contributed his Share, to that Peace, Order, and Righteousness, which upholds and establishes Society; and therefore, that every Eye must behold him with Pleasure, and every Heart bestow a Blessing upon him. His Prudence too discovers itself, inasmuch as, in the ordinary Course of Things, he is sure to pass thro' the World with the least Molestation from temporal Authority. The Magistrate is at least bound to protect him; and from private Persons, he cuts off all Occasions of Malice and Ill-will; as few can be so gratuitously wicked, as to harm the Doers of Good. But, and if he suffers for Righteousness Sake, happy is he. To fall in the Cause of Virtue, is even a Fate to be desired; as it is, doubtless, more eligible to leave the World with Honour, than live in it with Contempt.

VIEW now the contrary Character. The vicious Man's Conduct is not only offensive to the just Governour of the World, but a daring Affront to every wise and good Man in it. He stands up,
with

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with a brazen Forehead, in Opposition to the united Wisdom of God and Man. He despises Authority, and tramples upon Law, and by his insolent Attempts upon those great Securities of our present Happiness, is letting in a Flood of Misery and Confusion among Men. For this would unavoidably be the Case, were his Example universally followed. He has, therefore, no Plea against the severest Punishments; because no one Man more than another, can have any Grant or Privilege to offend. The Laws of God and Reason bind all alike, and are equally indispensable. How singular then is his Folly! He knows that the Magistrate beareth not the Sword in vain, and that it was not put into his Hand to rust and be idle; and yet he provokes and challenges that Vengeance, which often deservedly overtakes him. The many unhappy Wretches, who are usually to be met with upon such Occasions as these, should be an effectual Lesson to us against a vicious Conduct. If we imitate their Examples, we shall, 'tis great Odds, share
their

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their Fate, and be Partakers in their Punishments, as well as their Crimes.

LASTLY, Let all of us lay this Consideration to Heart, (because it equally concerns us all) That it is God, and not Man, who governs the World; and that it is inconsistent with the Idea and Qualities of a just and wise Governour, to let Wickedness pass unpunished. At one View he beholds the Greatest and Lowest of Mankind, and hates Vice in every Character. None of us are too inconsiderable for his Notice, or a Match for his Power. The dark Arts and Frauds of the Cunning and Hypocritical are open to him; neither doth he regard the Persons of Men, or make any partial Allowances to their present Power, Station, or Interest in the World. So that if our Vices should chance to escape human Censures, they lie naked before him, who is higher than the Sons of Men, and will one Day do Right to his own Laws and Establishment. If we reason or think otherwise, 'tis a Fondness and Partiality that

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that will deceive us : For God is not,
cannot be mocked ; but whatsoever a Man
soweth, that shall he also reap.

*TO him, Father, Son, and Holy Ghost,
be ascribed, as is most due, all Honour,
Adoration and Thanks, now, and for ever !
Amen.*

F I N I S.

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